

Amendment Under 37 C.F.R. § 1.116
Serial No. 09/989,373
Sughrue Ref: Q67325

REMARKS

Claims 1-5 are all the claims pending in the application.

Claim Rejections Under 35 U.S.C. § 112

Claims 4 and 5 are rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite. The Examiner alleges that the limitation “the cylindrical outer portion is capable of being displaced downwardly around the cylindrical portion” is not clear.

Applicants have amended claims 4 and 5 so that it is clear that “the cylindrical outer portion is capable of being displaced downwardly to a position such that the cylindrical outer portion is around the cylindrical portion” and so that it is clear that the inner and outer cylindrical portions are of “the one of the rubber contact portions that is used for the first-stage switching operation.” This amendment is fully supported by the original specification at least at the non-limiting embodiment discussed at page 13, line 19- page 14, line 7. This amendment emphasizes that the cylindrical outer portion is 1) capable of being displaced downwardly, and 2) that this displacement is to a position such that the cylindrical outer portion is around the cylindrical portion.

In view of this amendment, Applicants respectfully request the Examiner to withdraw the §112 rejection of claims 4 and 5.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-3 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over previously cited Ogawa et al. (US 5,115,108) in view of previously cited Ichikawa (US 4,401,864). Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being allegedly

unpatentable over Ogawa in view of Ichikawa, and further in view of newly cited Norris (US 5,510,584).

Claims 1-3

With respect to independent claim 1, Applicants respectfully traverse this rejection at least because the combination of Ogawa and Ichikawa does not teach or suggest the claimed multi-stage click switch in which “when the operating knob is moved from a first-stage switching operation to a final-stage switching operation, a lower resilient force elastically deforms the thin wall portion of one of the rubber contact portions that are used for the first-stage switching operation, and the thin wall portion of the one of the rubber contact portions that is used for the first-stage switching operation does not produce a click feeling”.

It is the Examiner’s position that the walls of the buckling portion 19a that are deformed on the right side of Fig. 5(a) correspond to the claimed elastically deformed thin wall portion, and that the walls buckling portion 20a that are not deformed on the left side of Fig. 5(a) correspond to the claimed thin walled portion that does not produce a clicking feeling. Office Action dated October 17, 2003 at page 3, last full paragraph.

However, this interpretation is inconsistent with the claimed scope of the invention, in which the deformed thin walled portion is of “one of the rubber contact portions that are used for the first-stage switching operation” and that the thin walled portion that does not produce a clicking feeling is also of “the one of the rubber contact portions that are used for the first-stage switching operation.” In view of the explicit claim language in which “one of the rubber

contacting portions” is clearly the antecedent for “the one of the rubber contact portion”, the only reasonable claim interpretation is that the thin walled portions are the same structure.

As such, Applicants respectfully request the Examiner to withdraw the rejection of claim 1. In addition, Applicants respectfully request the Examiner to withdraw the rejection of claims 2 and 3 at least because of their dependency from claim 1.

Claims 4 and 5

With respect to claims 4 and 5, Applicants respectfully request the Examiner to withdraw the rejection at least because of their dependency from claim 1 and because the combination of Ogawa, Ichikawa, and Norris do not teach or suggest the claimed multi-stage click switch in which “said outer portion of the one of the rubber contact portions that is used for the first-stage switching operation is cylindrical, said inner portion of the one of the rubber contact portions that is used for the first-stage switching operation is cylindrical, and an inner diameter of the cylindrical outer portion is larger than an outer diameter of the cylindrical inner portion, and the cylindrical outer portion is capable of being displaced downwardly to a position such that the cylindrical outer portion is around the cylindrical inner portion.”

The fact that the cylindrical outer portion is capable of being depressed downwardly to a position around the inner portion allows the outer portion to be depressed downwardly without producing a clicking feeling. Specification at page 13, line 19- page 14, line 7.

Norris discloses a keycap 36 having a cover 44. Norris at Fig. 3, for example. Norris, however, does not suggest modifying the buckling portion of Ogawa (alleged by the Examiner as

corresponding to the claimed rubber contact portion) so that of the buckling portion's outer portion would be replaced with the keycap cover 44.

Moreover, it seems to be the Examiner's position that if Ogawa's buckling portion was modified so that the outer portion was capable of being displaced downwardly to a position such that the outer portion was around an inner portion, then the outer portion would provide protection for the inner portion in the same manner that the keycap cover 44 of Norris provides for the cap 36. However, none of the applied references explicitly or implicitly suggests that the protection of the cover 44 of Norris would be applicable to the buckling portion of Ogawa.

For example, Norris' cover 44 provides a surface for the finger of a user (Norris at Fig. 3), while the outer portion of Ogawa's buckling portions provide a connection between the buckling portions and the push body 8. Therefore, if one of ordinary skill in the art were to modify Ogawa in view of Norris, then the cover 44 would be placed over the knob 25 that is contacted by a user and not within the internal structure of the switch. Ogawa at Fig. 2a (shows the knob 25).

Conclusion

In view of the above, if the Examiner wishes to maintain this rejection, Applicants respectfully request the Examiner to identify specifically how the buckling portion of Ogawa would be modified by the cover of Norris and to identify the motivation for the modification.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

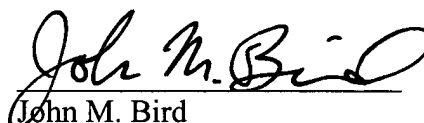
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER


John M. Bird
Registration No. 46,027

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